



Attorney's Docket No. 038151/195944

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Hanley, Jr. et al.  
Application No.: 09/560,288  
Filed: April 27, 2000  
For: METHOD FOR PRODUCING HUMAN  
INTERVERTEBRAL DISC CELLS

Confirmation No.: 3083  
Group No.: 1647  
Examiner: Robert Clinton Hayes

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)

1. This is a petition for an extension of time for a total period of one month to respond to the Office Action dated October 20, 2004.
2. Applicant is ☒ a small entity; ☐ other than a small entity.
3. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5)):

<u>Total Months</u> <u>Requested</u>	<u>Fee for Small</u> <u>Entity</u>
One month	\$60.00

*\*Cannot be used to exceed six-month statutory limit for response to an Official Action.*

- ☒ A check in the amount of \$60.00 is enclosed.
- ☐ Charge Deposit Account No. 16-0605 for the extension fee.
- ☒ Charge Deposit Account No. 16-0605 for any fee deficiency.

02/14/2005 HALI11 00000045 09560288  
01 FC:2251 60.00 OP

Respectfully submitted,

Ernest B. Lipscomb, III  
Registration No. 24,733

Customer No. 00826  
ALSTON & BIRD LLP  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Charlotte Office (704) 444-1000  
Fax Charlotte Office (704) 444-1111

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on February 8, 2005.

  
Janet F. Sherrill